REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated October 18, 2006, pending Claims 1-56 were rejected and the rejection made final. An Amendment After Final was submitted on December 18, 2006, in which Applicants sought reconsideration. An Advisory Action issued on January 24, 2007, in which the rejection was maintained. The three (3) month shortened statutory period for response expired on January 24, 2007, the mailing date of the Advisory Action. The fact that March 24, 2007 fell on a Saturday and ensures that this paper is timely filed as of today, Monday, March 26, 2007 (the next succeeding day which is not a Saturday or Sunday).

In the Advisory Action, the Office asserts the "integrating heterogeneous processing systems" limitation argued by the Applicants in the Amendment After Final appears in the preamble of the claim and is thus given little patentable weight. In the present amendment, independent claims 1, 20 and 39 have been rewritten to affirmatively recite "said first one and said second one of said pair disposed within different heterogeneous processing systems". The independent claims have also been rewritten to remove the language "comprising the level of recovery support", which was added in the Amendment dated February 27, 2006 and was the basis for an objection to dependent claims 17, 36 and 54 for allegedly being in improper form for failing to further limit the subject matter of a previous claim.

In the present invention, each member of a possible coordinated pair, i.e., the resource and the coordinator, requests the other's QoS information for their own use in determining whether a pair will be established. These resource/coordinator pairs are exemplified in the instant invention, and claimed in the dependent claims of the invention. . More specifically, the invention "[i]nvolves the introduction of a negotiation phase into the resource enlistment or registration process wherein the resource component and coordinator component request and respond with indicators showing the quality of service that each supports, thus jointly establishing at runtime a quality of service to be supported for the resource and coordinator pairing. The qualities of service may include commit phase support and recovery support." (Abstract) In this way it can be seen that the present invention is one in which "[n]either the coordinator nor the resource has sole responsibility for determining whether a particular resource can be coordinated by a particular coordinator. The decision is made by 'mutual agreement.'" (Page 8) The instant invention thus integrates heterogeneous processing systems through a communication process between components of the two systems.

At the time of the most recent Office Action, the only outstanding art rejection was a Section 102 rejection over U.S. Patent No. 6,654,808 to Chuah. Furthermore, the rejection made immediately prior to the rejection of Chuah was a Section 102 rejection over U.S. Patent No. 6,845,389 to Sen et al. (made in the final Office Action dated October 5, 2005). The comments appearing in the previous Amendments regarding Chuah and Sen et al. are equally applicable here. In the interests of brevity, however, the comments are incorporated by reference.

Suffice it to say, however, that neither Chuah nor Sen et al. teach the limitations of the instant invention. As discussed in previous Amendments, neither reference teaches or even suggests, *inter alia*, (1) reaching mutual agreement on quality of services (QoS) information nor (2) the integrating heterogeneous systems such that "said first one and said second one of said pair [are] disposed within different heterogeneous processing systems". Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under construction." W.L. Gore & Associates, Inc. v. Garlock, 721 F.2d 1540, 1554 (Fed. Cir. 1983); see also In re Marshall, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978). In this regard, the Office it is instructive to note the priority application has issued as British Patent No. GB 2 373 069 B.

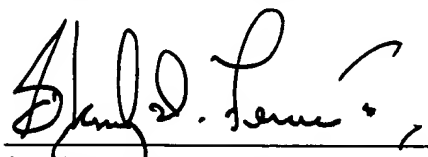
Request for Telephone Interview:

The above Remarks notwithstanding, should the Examiner, upon re-evaluation of the current rejection in light of the foregoing Remarks, deem that a rejection under 35 U.S.C. § 102 is still proper; Applicants and their undersigned representative kindly request the courtesy of a Telephone Interview so that an agreement may be reached as to how the claims might be amended in order to satisfy Section 102.

In view of the foregoing, it is respectfully submitted that amended independent Claims 1, 20, and 39 fully distinguish over the applied art and are thus allowable. By virtue of dependence from what is believed to be allowable independent Claims 1, 20, and 39, it is respectfully submitted that Claims 2-19, 21-38, and 40-56 are also presently

allowable. In summary, it is respectfully submitted that the instant application, including Claims 1-56, is in condition for allowance.

Respectfully submitted,



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